

CITY OF TALLAHASSEE**CITY COMMISSION AGENDA ITEM****ACTION REQUESTED ON:** June 25, 2003**SUBJECT/TITLE:** Introduction of Ordinance #03-O-42 Capital Circle
Southeast/Monday Road Voluntary Annexation**TARGET ISSUE:** N/A**STATEMENT OF ISSUE**

The owner of a parcel (Tax ID# 3109206010000) has petitioned the City for annexation of approximately one half acre on the southwest corner of Capital Circle Southeast and Monday Road. The property is zoned AC (Activity Center) and a veterinary clinic and other general commercial uses are located on the property.

The City Attorney has determined that this annexation fully qualifies under the statutory requirements of Chapter 171, Florida Statutes.

A copy of the proposed annexation was provided to Leon County Board of Commissioners at the time that it was distributed to the City Commission.

RECOMMENDED ACTION

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-42 Capital Circle Southeast/Monday Road and set public hearing date for July 9, 2003.

FISCAL IMPACT

Based on the current property tax rate of 3.2 mills, this property would have generated \$592 in tax revenues in 2002.

Dinah Hart
Administrative Services Manager/DMA

Anita R. Favors
City Manager

For Information, please contact: Dinah Hart, ext. 8209

ITEM TITLE: Introduction of Ordinance #03-O-42 Capital Circle Southeast/Monday Road Voluntary Annexation

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The owner of a parcel (Tax ID# 3109206010000) has petitioned the City for annexation of approximately one half acre of property located on the southwest corner of Capital Circle Southeast and Monday Road. The property is zoned AC (Activity Center) and a veterinary clinic and other commercial uses are located on the property. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

The property owner has previously petitioned the City for annexation. However, staff had advised the owner that sewer services would not be available for quite some time. The owner decided not to pursue the request until a later date. The owner has now decided that he would like to annex, and understands that sewer service will not be available until after the widening of Capital Circle Southeast from Centerview Road to Tram Road is complete and when the sewer lines are extended from Southwood. A letter has been provided to the owner outlining the provisions of this agreement and he has accepted the agreement.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed Capital Circle Southeast/Monday Road annexation.

II. Land Use

The area proposed for annexation consists of approximately .5 acres and is located within the Urban Services Area (USA). According to the Planning Department, the property is located in the High Intensity Urban Activity Center land use category on the Future Land Use Map. The Official Zoning Atlas indicates that the current zoning is AC; no rezoning is required.

Planning staff has reviewed the proposed annexation at Monday Road and Capital Circle (tax ID # 31-09-20-601-0000). The information required in Intergovernmental Element Policy 2.1.4 was not supplied to the Planning Department for their review. The Department could find the proposal consistent with the Comprehensive Plan, subject to the following provisions being met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].

- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[1].
- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[1].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[1].

The following is provided as additional information related to this site:

- This property is located in the High Intensity Urban Activity Center land use category on the Future Land Use Map.
- This property is zoned Activity Center on the Official Zoning Map. This category promotes higher intensity land uses such as regional commercial uses (major shopping centers and more intensive non residential uses) and residential uses up to 45 dwelling units per acre.

This property is presently developed and contains two buildings, one approximately 3,000 square feet, and the other approximately 2,000. One building houses Seminole Animal Health Clinic and the other presently houses a martial arts school/center.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #6 at 2901 Apalachee Parkway can provide fire and emergency services to this area.
- B. Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- C. Growth Management - Since this property is already developed and staff is unaware of any redevelopment proposal, staff finds no issues of concern at this time.
- D. Street Maintenance and Right of Way Service – The City will assume responsibility for maintaining city-owned streets upon annexation. The City has a comprehensive public street construction program. No streets are within the annexation area.
- E. Traffic Planning and Control – The maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation.
- F. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. No additional streetlights will require installation as a result of this annexation.
- G. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. The Parks and Recreation Department anticipates no impact on park facilities as a result of this annexation.
- H. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. The nearest

bus stops are located at Capital Circle and Apalachee Parkway and at the Koger Center on St. Augustine road. No service extension to that area is planned in the near future. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled, will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis.

- I. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements. There are already street lights in place so there will be no additional cost of lighting due to the annexation.
- J. Water and Sewer Service – Parcel is already served by City water. The owner understands that sewer service will not be available until after the widening of Capital Circle Southeast from Centerview Road to Tram Road is complete and when the sewer lines are extended from Southwood. A letter has been provided to the owner outlining the provisions of this agreement and he has accepted the agreement.
- K. Gas Service – The City generally provides natural gas to a site when requested and after a feasibility analysis.
- L. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.
- M. Solid Waste Service – Solid waste collection and disposal services will be provided by the City upon annexation.

OPTIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-42 Capital Circle Southeast/Monday Road and set public hearing date for July 9, 2003.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

RECOMMENDATIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-42 Capital Circle Southeast/Monday Road and set public hearing date for July 9, 2003.

ATTACHMENTS/REFERENCES

Attachment 1 – Proposed Ordinance #03-O-42

Attachment 2 – Location Map

ORDINANCE NO. 02-O-78

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

VOLUNTARY ANNEXATION 2518 CAPITAL CIRCLE SE

COMMENCE at the northeast corner of Lot 6 of Bonds Farms, an unrecorded subdivision (Tax I.D 31-09-05), of the Public Records of Leon County, Florida, said corner being on the southerly right-of-way boundary of Monday Road; thence Easterly, along the southerly right-of-way boundary of said Monday Road, a distance of 1593 feet, more or less, to an intersection with the westerly right-of-way boundary of Capital Circle SE (State Road No. S-263) (100 feet wide), said intersection being the northeast corner of that parcel described in Official Record Book 2359, Page 0495 (Tax I.D 31-09-20-601) of the Public Records of Leon County, Florida, for the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence South 01 degree 08 minutes 42 seconds East, along the westerly right-of-way boundary of Capital Circle SE (State Road No. S-263), a distance of 146.58 feet to the southeast corner of said parcel above referenced; thence, leaving said westerly right-of-way boundary, South 89 degrees 38 minutes 36 seconds West, a distance of 162.15 feet to the southwest corner of said parcel above referenced; thence North 00 degrees 16 minutes 36 seconds East, a distance of 132.53 feet to the northwest corner of said parcel above referenced on the southerly right-of-way boundary of said Monday Road; thence North 85 degrees 28 minutes 30 seconds East, along said southerly right-of-way boundary last referenced, a distance of 164.95 feet to the POINT OF BEGINNING; Containing 0.52 of an acre, more or less.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the 21 st day of August, 2002

PASSED the City Commission on the _____ day of _____, 2002

SCOTT MADDOX, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney

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FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

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INTRODUCED in the City Commission on the 21 st day of August, 2002

PASSED the City Commission on the _____ day of _____, 2002

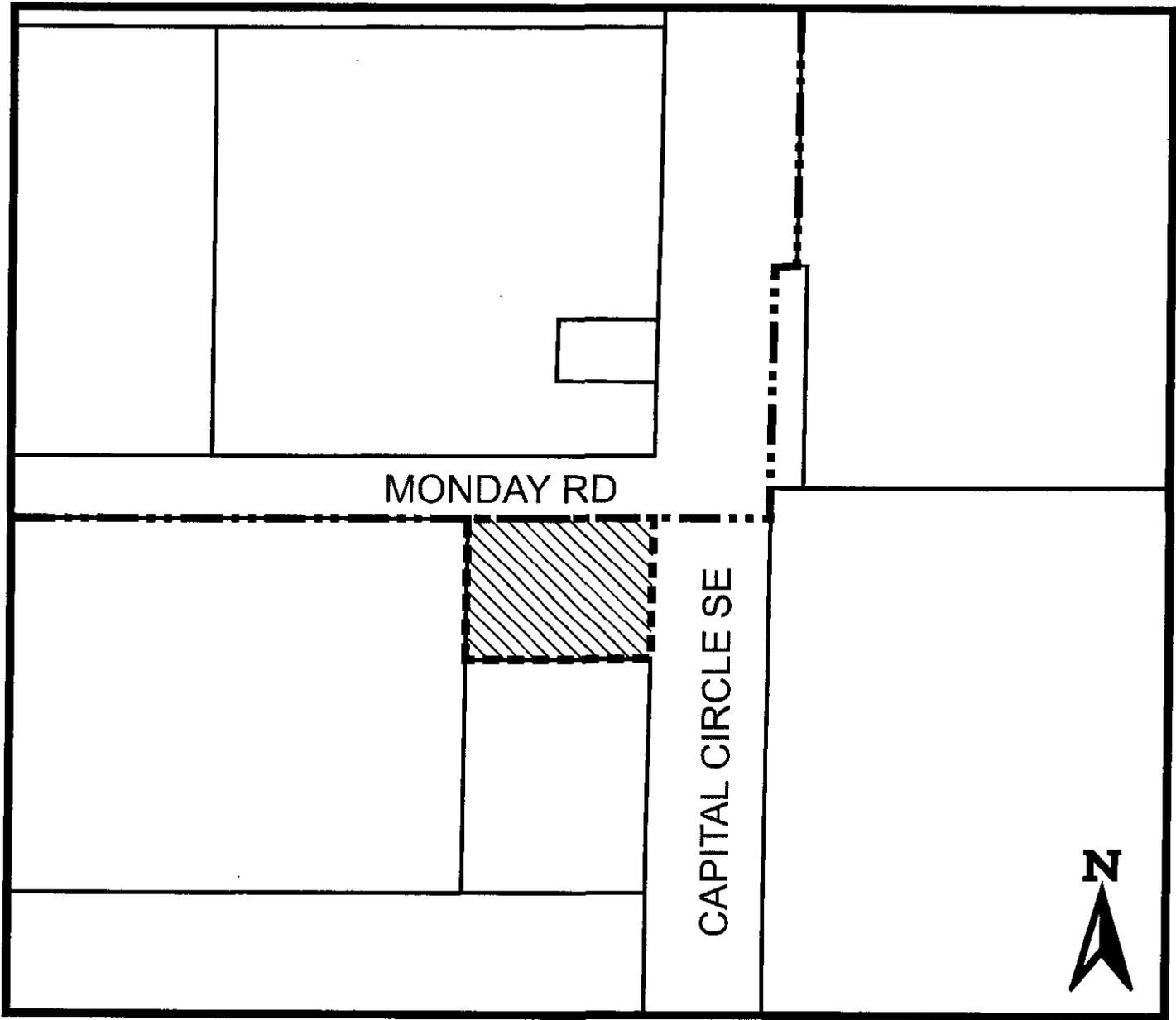
SCOTT MADDOX, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney



DWG NO. OMB00107.CDR

CAPITAL CIRCLE SE/MONDAY ROAD PROPOSED ANNEXATION

LEGEND

- | | |
|---|----------------------|
|  | CURRENT CITY LIMITS |
|  | PROPOSED CITY LIMITS |